

having appeared for the 60 cartons, the court entered a default decree of condemnation and destruction.

3210. Adulteration and misbranding of prophylactics. U. S. v. 63 Cartons * * *. (F. D. C. No. 28994. Sample No. 50851-K.)

LIBEL FILED: April 28, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about March 23, 1950, by the Dean Rubber Mfg. Co., from North Kansas City, Mo.

PRODUCT: 63 cartons, each containing 12 packages, of *prophylactics* at Seattle, Wash. Examination of samples showed that 5.3 percent were defective in that they contained holes.

LABEL, IN PART: (Package) "12 Dean's Peacocks Reservoir Ends."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statements "For Your Protection * * * An Aid In Preventing Venereal Disease" were false and misleading as applied to an article containing holes.

DISPOSITION: September 29, 1950. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3211. Misbranding of Imdrin. U. S. v. 2,100 Bottles * * *. (F. D. C. No. 26977. Sample No. 20470-K.)

LIBEL FILED: On or about April 14, 1949, Western District of Missouri; amended libel filed on February 2, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 21, 1948, and January 5, 7, and 14, 1949, by the Rhodes Pharmacal Co., Inc., from Cleveland, Ohio.

PRODUCT: 2,100 72-tablet bottles of *Imdrin* at Kansas City, Mo. Examination disclosed that each tablet of a portion of the product contained 2 grains of aspirin, 1.4 grains of manganese salicylate, 2.3 grains of calcium succinate, 0.19 grain of caffeine, and some thiamine, and that each tablet of the other portion of the product contained 2 grains of aspirin, 1.6 grains of sodium salicylate, 1.56 grains of calcium succinate, 0.16 grain of caffeine, and 1 mg. of thiamine.

LABEL, IN PART: "Imdrin * * * Each tablet contains: Manganese Salicylate, Calcium Succinate, Acetylsalicylic Acid, Thiamine Chloride (1 mg.) and Caffeine" or "Imdrin * * * Each tablet contains: Sodium Salicylate, Calcium Succinate, Acetylsalicylic Acid, Thiamine Chloride (1 mg.) and Caffeine."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and designs appearing in the labeling of the article, namely, on a placard entitled "Rheumatic-Arthritic Sufferers," in a leaflet entitled "Amazing New Imdrin," and on a sheet entitled "Imdrin Fastest Selling Most Heavily Advertised Rheumatic-Arthritic Item," were false and misleading. The statements and designs represented and suggested that the article was adequate and effective for the treatment and cure of all types of arthritis and rheumatism; that the article contained no drugs; that it would give the fastest pain relief in

*See also Nos. 3201, 3208-3210.